IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

CASE NO. 2:10-CV-258-JRG LEAD CASE

Plaintiff,

v.

AMAZON.COM, INC., PAYPAL, and SOCIETY FOR WORLDWIDE INTERBANK FINANCIAL TELECOMMUNICATION SCRL D/B/A SWIFT,

Defendants.

RPOST HOLDINGS, INC., et al.,

CASE NO. 2:11-cv-6-JRG

CASE NO. 2:11-cv-16-JRG

Plaintiffs,

v.

CANADA POST CORPORATION and INNOVAPOST INC.,

Defendants.

RPOST HOLDINGS, INC., et al.,

Plaintiffs,

v.

READNOTIFY.COM PTY LTD., CHRIS DRAKE, and SILICON VALLEY WEB HOSTING, INC.,

Defendants.

RPOST HOLDINGS, INC., et al.,

CASE NO. 2:11-cv-64-JRG

Plaintiffs,

v.

ZIX CORPORATION,

Defendants.

RMAIL LIMITED, RPOST COMMUNICATIONS LIMITED, and RPOST HOLDINGS, INC.,

CASE NO. 2:11-cv-299-JRG-RSP

Plaintiffs,

v.

DOCUSIGN, INC.,

Defendant.

RMAIL LIMITED, RPOST COMMUNICATIONS LIMITED, and RPOST HOLDINGS, INC.,

Plaintiffs,

v.

RIGHT SIGNATURE, LLC, FARMERS GROUP, INC., and FARMERS INSURANCE COMPANY, INC.,

Defendants.

CASE NO. 2:11-cv-300-JRG-RSP

RPOST HOLDINGS, INC., RPOST COMMUNICATIONS LIMITED, and RMAIL LIMITED,

CASE NO. 2:11-cv-325-JRG-RSP

Plaintiffs,

v.

ADOBE SYSTEMS INCORPORATED and ECHOSIGN, INC.

Defendants.

JOINT NOTICE REGARDING DESIGNATION OF MEDIATOR

TO THE HONORABLE COURT:

COME NOW, RMAIL LIMITED, AMAZON.COM, INC., and PAYPAL, the parties to the lead case in this consolidated action, along with the other parties to the member cases (collectively referred to as the "Parties"), and file this Notice Regarding Designation of Mediator. The Court's September 17, 2012 Docket Control Order requires that on September 26, 2012 the Parties are to jointly file a notice that identifies the agreed upon mediator(s), or indicates that no agreements were reached.

No final agreements were reached regarding the designation of an agreed upon mediator or mediators in this case.

Dated: September 26, 2012

Respectfully submitted,

/s/ Robert P. Greenspoon

Robert P. Greenspoon (*admitted pro hac vice*) rpg@fg-law.com FLACHSBART & GREENSPOON, LLC 333 N. Michigan Ave., 27th Floor Chicago, IL 60601

Tel: 312-551-9500 Fax: 312-551-9501

Kenneth C. Goolsby
Texas Bar No. 24003668
casey.goolsby@boonlaw.com
BOON, SHAVER, ECHOLS,
COLEMAN & GOOLSBY, PLLC
1800 NW Loop 281, Suite 310
Longview, TX 75604

Tel: 903-759-2200 Fax: 903-759-3306

Attorneys for Plaintiff, Rmail Limited

/s/ James E. Geringer

Facsimile: (503) 595-5301

Facsimile: (903) 509-5092

James E. Geringer (OR Bar No. 951783)
james.geringer@klarquist.com
Salumeh R. Loesch (OR Bar No. 090074)
salumeh.loesch@klarquist.com
John D. Vandenberg (OR Bar No. 893755)
john.vandenberg@klarquist.com
KLARQUIST SPARKMAN, LLP
121 S.W. Salmon Street, Suite 1600
Portland, Oregon 97204
Telephone: (503) 595-5300

Jennifer Parker Ainsworth
Texas Bar No. 00784720
jainsworth@wilsonlawfirm.com
WILSON, ROBERTSON & CORNELIUS, P.C.
One American Center
909 ESE Loop 323, Suite 400
P.O. Box 7339 [75711]
Tyler, Texas 75701
Telephone: (903) 509-5000

Attorneys for Defendants Amazon.com, Inc. and PayPal, Inc.

Attorneys for Plaintiffs, RPost Holdings, Inc. Rpost International Limited, and RMail Limited in 2:11-cv-6, 2:11-cv-16, 2:11-cv-64

Attorneys for Plaintiffs, RPost Holdings, Inc. Rpost Communications Limited, and RMail Limited in 2:11-cv-299, 2:11-cv-300, 2:11-cv-325 Attorneys for Defendants, Canada Post Corporation and Innovapost Inc.

/s/ Lewis E. Hudnell, III

Winston O. Huff, State Bar No. 24068745 Navarro Huff PLLC 302 N. Market, Suite 450 Dallas, Texas 75202 214.749.1220 (Firm) 214.749.1223 (Fax) whuff@navarrohuff.com

Lewis E. Hudnell, III Colvin Hudnell LLP 375 Park Avenue Suite 2607 New York, New York 10152

Tel: 347.855.4772 Fax: 347.772.3034 lewis@colvinhudnell.com Christopher O. Green Georgia Bar No. 037617 Jack P. Smith III Georgia Bar No. 659999 Jacqueline Tio Georgia Bar No. 940367

FISH & RICHARDSON P.C.
1180 Peachtree Street NE, 21st Floor
Atlanta, GA 30309
404.892.5005
404.892.5002 (facsimile)
cgreen@fr.com
jay.smith@fr.com
tio@fr.com

OF COUNSEL:

Katherine K. Lutton California Bar No. 194971

FISH & RICHARDSON P.C. 500 Arguello Street, Suite 500 Redwood City, CA 94063 650.839.5070 650.839.5071 (facsimile) lutton@fr.com

Attorney for Defendant Silicon Valley Web Hosting, Inc.

/s/ J. Pat Heptig

J. Pat Heptig pheptig@heptiglaw.com Heptig Law Group, Ltd. One Lincoln Center 5400 LBJ Freeway, Suite 1200 Dallas, Texas 75240 Tel: 214-649-7909

Attorneys for Defendant Zix Corporation

/s/ David M. Barkan

Melissa Richards Smith Gillam & Smith, LLP 303 South Washington Avenue Marshall, Texas 75670 Tel: 903-934-8450

Fax: 903-934-9257

melissa@gillamsmithlaw.com

OF COUNSEL:

David M Barkan Fish & Richardson - Redwood City 500 Arguello St Suite 500 Redwood City, CA 94063 Tel: 650-839-5070

Fax: 650-839-5071 barkan@fr.com

Roger A Denning Fish & Richardson - San Diego 12390 El Camino Real San Diego, CA 92130 Tel: 858-678-5070

Fax: 858-678-5099 denning@fr.com

Attorney for Defendant Docusign, Inc.

/s/ David A. Lowe

David A. Lowe, Esq. Lowe Graham Jones PLLC 701 Fifth Avenue, Suite 4800 Seattle, Washington 98104

T: 206.381.3300 F: 206.381.3301

Email: lowe@lowegrahamjones.com

Jose C. Villarreal, Esq. Wilson Sonsini Goodrich & Rosati PC 900 South Capital of Texas Highway Las Cimas IV, Fifth Floor Austin, Texas 78746 T: 512.338.5400

T: 512.338.5400 F: 512.338.5499

Email: jvillarreal@wsrg.com

Attorneys for Defendants Right Signature, LLC,

/s/ Arnold S. Weintraub

Arnold S. Weintraub The Weintraub Group, P.L.C. 28580 Orchard Lake Road, Ste. 140 Farmington Hills, Michigan 48334

T: 248-865-9430 F: 248-856-9436

aweintraub@weintraubgroup.com

Attorneys for Defendants Farmers Insurance Company, Inc. and Farmers Group, Inc.

/s/ David D. Bahler

David D. Bahler (State Bar No. 01513100) Fulbright & Jaworski LLP 98 San Jacinto Boulevard, Ste. 1100 Austin, Texas 78701

T: 512-536-3005 F: 512-536-4598 dbahler@fulbright.com

Attorneys for Adobe Systems Incorporated and Echosign, Inc.

/s/ Andrew P. Valentine

Andrew P. Valentine
DLA PIPER LLP (US)
2000 University Avenue
East Palo Alto, California 94303
t: 650.833.2000
f: 650.833.2001
andrew.valentine@dlapiper.com

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with all counsel of record regarding this motion and all have indicated to me that they have no opposition.

/s/ Kenneth C. Goolsby

Kenneth C. Goolsby

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of this Agreed Motion for Entry of Proposed Discovery Order, via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 14th day of September, 2012.

/s/ Kenneth C. Goolsby
Kenneth C. Goolsby